

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 30, 2009

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on April 23, 2009 are approved and placed on file among the public records of the City Clerk's Office

By Councilor Rabideau; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 29, 2009 in the amount of \$230,940.81 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of April 23-29, 2009
- Report from the Building Inspector's Office from March 25-April 28, 2009
- Statement of cash receipts from the Library for the month of March 2009

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Valentine; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:

- none -

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of **\$313,798.00** are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Denise Nephew President of the AFSCME union asked the council to support Items 7 A and B and Initial number 3 because the department heads know the needs of their departments. Nephew said she signed the SWEET agreement for Recreation.

7. OTHER ITEMS

A. Request from the Public Works Superintendent to fill 2 unbudgeted vacant positions.

RESOLVED: In accordance with the request therefore the Common Council approves Public Works Superintendent to fill two unbudgeted vacant positions.

By Councilor Jackson; Second by Councilor Carpenter
Discussion:

Councilor Calnon believes this is something that should be discussed and handled during budget time.

Councilor Valentine said she opposes the positions.

Councilor Carpenter agrees with both councilors. However he understands Mike Brodi's problems and suggests they move two laborer positions to Maintenance 1 position.

Councilor Rabideau said it is hard to add positions that have high costing retirement and benefit costs when we don't know where we will be at the end of the year during budget time. Rabideau said we may need to cut more positions therefore why add them now.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the negative)

ACTION TAKEN: Defeated

Follow up Action: None

B. Request from the Recreational Superintendent for the conversion of two Seasonal Laborer positions into one year-round Laborer position.

RESOLVED: In accordance with the request therefore the Common Council approves the conversion of two Seasonal Laborer positions into one year-round Laborer position.

By Councilor Valentine; Second by Councilor Calnon
Discussion:

Councilor Rabideau said he feels the same way about this request. Rabideau doesn't agree because it will cost the City more by adding a full time position with retirement and benefits.

Councilor Calnon said this position existed for some time and has been filled for quite sometime only with the caveat that we change the body of this position every 6 months. Calnon said this puts stress on the Supervisor because someone has to be trained every six months. People usually don't reach the productivity level until seven months and we let them go before that. Calnon said we are losing value with our Supervisor every time he trains someone new.

Councilor Jackson changed his mind from 2 weeks ago, he will not support this. Jackson thinks this should be discussed during budget time.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(Councilor Carpenter, Kelly, Rabideau, and Jackson voted in the negative. Councilor Calnon and Valentine voted in the affirmative)

ACTION TAKEN: Defeated

Follow up Action: None

C. Request from the City Chamberlain for \$361,000 to be appropriated as the revised amount for the Capital Project 2009 Public Works Equipment Replacement Project, Project H5110.26.

RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to appropriate \$361,000 as the revised amount for the Capital Project 2009 Public Works Equipment Replacement Project, Project H5110.26.

By Councilor Carpenter; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. Request from Irises Café & Wine Bar to renew the lease for the seasonal outdoor seating area located at 16-22 City Hall Place from May 13, 2009 to September 30, 2009.

RESOLVED: In accordance with the request therefore the Common Council approves Irises Café & Wine Bar to renew the lease for the seasonal outdoor seating area located at 16-22 City Hall Place from May 13, 2009 – September 30, 2009.

By Councilor Valentine; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative except Councilor Rabideau)

ACTION TAKEN: Adopted

Follow up Action: None

E. Request from MLD to write-off unpaid final bills from June 1-30, 2008 in the total amount of \$5,308.77.

RESOLVED: In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from June 1-30, 2008 in the total amount of \$5,308.77.

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. Request from the City Chamberlain for \$1,348,000 to be appropriated to Capital Project 2009 General Street Resurfacing Project, H5110.28.

RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to appropriate \$1,348,000 to Capital Project 2009 General Street Resurfacing Project, H5110.28.

By Councilor Jackson; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. Request to amend Capital Project 2009 General Street Resurfacing Project H5110.28 to add \$42,000 from the General Fund to resurface Park Avenue from Sanborn to Lexington Street for a total amount of \$1,390,000.

RESOLVED: In accordance with the request therefore the Common Council approves the amendment of Capital Project 2009 General Street Resurfacing Project H5110.28 to add \$42,000 from the General Fund to resurface Park Avenue from Sanborn to Lexington Street for a total amount of \$1,390,000.

By Councilor Rabideau; Second by Councilor Carpenter

Discussion:

Councilor Rabideau said this was originally planned thinking that Public Works could do it for less

but we found out they don't have the equipment.

Councilor Calnon said this money would have to come out of Contingency Fund in which the City Chamberlain said there was \$300,000.

Councilor Rabideau said we had narrowed down streets during the budget season and we had included this street.

Councilor Jackson asked if there were storm sewer problems and Public Works Superintendent Mike Brodi said not to his knowledge. Jackson wanted to make sure the drainage is in decent shape.

Mayor Kasprzak mentioned that Alpert Barn is in need of a new roof. Kasprzak just wanted everyone to know because we need to figure out where the money will come from.

Councilor Calnon is reluctant to spend Contingency on this item when we don't have an idea of where we need to spend our money and maybe revisit this at a later time.

Councilor Carpenter said that was a good idea.

Councilor Rabideau said he doesn't have a problem holding off on this.

Mayor Kasprzak said we should hold off on this until later.

Councilor Kelly said we have a \$100,000 of misc.

Councilor Jackson said not to go near that money because Public Works uses that to patch roads all over the City for roads that are not in the Capital Projects for this year.

Councilor Carpenter asked when the deadline is that the Council has to agree on this in order to get it done this year and the City Engineer said around thanksgiving.

Councilor Rabideau withdrew the request and Councilor Carpenter seconded.

ACTION TAKEN: Withdrawn

Follow up Action: None

H. Request from the City Engineer for the Mayor to be authorized to sign Change Order No. 3 to Contract #2008-07, "Construction of the Waterfront Park" in the amount of \$187,582.00 for an entrance road into the Waterfront Park.

RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to be authorized to sign Change Order No. 3 to Contract #2008-07, "Construction of the Waterfront Park" in the amount of \$187,582.00 for an entrance road into the Waterfront Park.

By Councilor Rabideau; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. Local Law P3 of 2009: AMENDING CITY CODE CHAPTERS 270 AND 260 TO DEFINE AND ALLOW COMMUNITY GARDENS AS A SPECIAL PERMITTED USE AND EXEMPT THE USE FROM SUBDIVISION REQUIREMENTS, the entire text of which has been distributed to and read by the members of the Common Council is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Kelly; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. Request from the Community Garden Program for the Common Council to approve the proposed resolution establishing the Community Garden Program which has been distributed to the Common Council, debated and amended and is hereby adopted and ordered and made part of the minutes of this meeting.

RESOLVED: In accordance with the request therefore the Common Council approves the proposed resolution which has been distributed to the Common Council, debated and amended and is hereby adopted and ordered and made part of the minutes of this meeting.

By Councilor Kelly; Second by Councilor Jackson

Discussion:

Councilor Valentine asked Doug Butdorf what the method is to determine who gets plot and who doesn't and Butdorf said as they come in they get a number and the cut off is May 4th.

Councilor Carpenter said he hasn't seen anything that states who is going to pay for the cost of the waterline.

Corporation Counsel Clute said it's in the license agreement the Council received and the City said they would furnish the materials.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST

A. Request from Mayor Donald M. Kasprzak to attend the Annual NYCOM Meeting in Saratoga Springs, New York from June 28-July 1, 2009 at an estimated cost of \$950.

RESOLVED: In accordance with the request therefore the Common Council approves Mayor Donald M. Kasprzak to attend the Annual NYCOM Meeting in Saratoga Springs, New York from June 28-July 1, 2009 at an estimated cost of \$950.

By Councilor Calnon; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. Request from Chief Desmond Racicot for Cpl. Brad Kiroy and Bryan Brayton to travel to Syracuse, NY from May 10-11, 2009 to attend the "5th Annual New York Statewide TraCs Steering Committee Meeting and Conference" at a cost not to exceed \$246.00 which will be paid out of Asset Forfeiture Funds.

RESOLVED: In accordance with the request therefore the Common Council approves Cpl. Brad Kiroy and Bryan Brayton to travel to Syracuse, NY from May 10-11, 2009 to attend the "5th Annual New York Statewide TraCs Steering Committee Meeting and Conference" at a cost not to exceed \$246.00 which will be paid out of Asset Forfeiture Funds.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION

1. Request from the City Chamberlain to close capital project H5110.25 as complete and with no funding to be received.
2. Request from the Champlain Valley Classic Cruisers for the City Police Department to help aid the riders through traffic on May 23, 2009.
3. Request to hire a part time cleaner for City Hall.
4. Request from Community Development for the Common Council to approve Homeownership Grant to Angela Crandall for Project HO 2009-2 located at 36 Waterhouse Street at an amount not to exceed \$25,000.

5. Request for the Common Council to approve the proposal for providing Empire Zone administrative services to the City of Plattsburgh.
6. Request from MLD Manager Bill Treacy to attend the NYMPA 12th Annual Meeting from May 20-21, 2009 in East Syracuse, NY at an estimated cost of \$290.00.
7. Request from Community Development for the Common Council to approve Homeownership Grant to Richard Barkley Jr. for Project HO 2009-1 located at 74 Montcalm Street at an amount not to exceed \$25,000.

10. NEW BUSINESS

None

11. CLOSING PUBLIC COMMENTS

Mary Ellen Cleveland of 59 Prospect asked if Senator Schumer has said anything about the extra powers charges over the winter.

Doug Butdorf said thank you.

Sarah Deed asked if there was going to be repaving near Stafford Middle School because the roads are really bad.

Mike Brodi, Superintendent of Public Works said he is disappointed about the vote earlier but not surprised. Brodi said his tailed was pulled by WIRY earlier in the week and wondered if he should write a response. Instead Brodi handed the Council, the Mayor, and Ducky Drake tools for them to use, yellow baseball caps that read "It's Just Ducky."

Motion to Adjourn by Councilor Kelly; Seconded by Councilor Valentine
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

MEETING ADJOURNED: 6:15 pm